

**Integrated Commissioning Committee (Committees in Common)**

**24<sup>th</sup> February, 2021**

**PRESENT:-**

Dr. D. Roper, GP Board Member  
Mrs. K. Marshall, Lay Member  
Dr. A. Oehring, GP Board Member

**IN ATTENDANCE:-**

Councillor Gwen Lunn, Portfolio Holder for Adult Services and Public Health, Hull City Council Integrated Commissioning Executive Sub-Committee  
Councillor J. Black, Portfolio Holder for Housing, Hull City Council Integrated Commissioning Executive Sub-Committee  
D. Bell, Director of Finance and Transformation (HCC)  
E. Daley, Interim Chief Operating Officer, NHS Hull Clinical Commissioning Group  
I. Anderson (Director of Legal Services and Partnerships) (HCC)  
T. Meyerhoff (Deputy Director of Adult Social Care, Strategic Lead for Commissioning, Integration and Quality) (HCC)  
N. Daynes, Head of Adults Commissioning and Procurement(HCC)  
L. Scholes, Senior Democratic Services Officer (HCC)

**APOLOGIES:-**

Councillor P. Clark, Portfolio Holder for Learning, Skills and Safeguarding Children

<b>Minute No.</b>	<b>Description/Decision</b>	<b>Action By/ Deadline</b>
33.	<b>DECLARATION OF INTERESTS</b>  No declarations of interest were made in respect of the items that follow below.	
34.	<b>MINUTES OF THE MEETING HELD ON WEDNESDAY, 16<sup>th</sup> DECEMBER 2020</b>  <b>Agreed</b> – that, the minutes of the meeting held on Wednesday, 16 <sup>th</sup> December, 2020, be taken as read and correctly recorded and be signed by the Chair.	
35.	<b>AGREEMENT TO THE TERMS OF THE SECTION 75 PARTNERSHIP AGREEMENT 2021-22 INCLUDING BETTER CARE FUND AND FINANCIAL CONTRIBUTIONS TOWARDS THE INTEGRATED FINANCIAL PLAN</b>	

The Director of Finance and Transformation (Section 151 Officer), Hull City Council and Chief Finance Officer, NHS Hull Clinical Commissioning Group, submitted a report which sought agreement to the Section 75 partnership agreement which covered the Better Care Pooled Budget and those budgets currently aligned by the Council and NHS Hull Clinical Commissioning Group which was updated for the period 2021/22. The report explained that the final terms of the agreement were to be delegated to the Director of Public Health and Adult Social Care as they were dependent upon the outcome of a review of the Mental Health Social Care Services commissioned by the NHS Hull Clinical Commissioning Group on behalf of Hull City Council through the s75 Agreement. There had been a delay in the undertaking of the self-audit by the Humber Teaching NHS Foundation Trust which was to inform an external review of the service. The review was set to be undertaken in March following completion of the self-audit.

The comments of the Health and Social Wellbeing Overview and Scrutiny Commission when this matter was considered, were submitted for consideration, and were detailed at minute #.

Members of the Sub Committees discussed the need to have sight of the proposed delegated decision in advance of it being made. The office confirmed that this would be shared prior to the decision being made this was Council funding, however the CCG were the commissioners, so both organisations needed an awareness of how it was moving forwards.

Members also discussed how Personal Healthcare Budgets sat within the Better Care Plan and the governance arrangements. The officer confirmed this would be reflected. Officers also highlighted the importance of keeping the agreement under review during the course of the year, due to uncertainty around the proposals with the NHS changes and that the operational plans and guidance had not yet been received.

The officer also drew Members attention to this report having not been through the CCG Board, but due to the discussions which had taken place it could proceed and subsequent reviews would be submitted to the Board.

Members commented on the need to update the report to reflect the new terms of Integrated Care System in place of Sustainable Transformation Plan and the Long Term Plan.

**Moved by Dr. Roper and seconded by Karen Marshall–**

- (a) That the Committee approve the revised terms of the Section 75 Partnership agreement between Hull CC and NHS Hull CCG for the period 2021/22, including the Better Care Pooled budget (including the Improved Better Care Fund) and the financial contributions payable by NHS Hull CCG to the Council (Aligned Funds) as part of the

(a) Director of Finance and Transformation (Section 151 Officer)/ Chief Finance Officer

development of the Integrated Financial Plan.

(b) That the Director of Public Health and Adult Services is authorised in consultation with the Director of Legal Services and Partnerships and the Portfolio Holder (Adult Services and Public Health) to agree the Hull City Council allocation of funds for the delivery of Mental health and to approve variation of the terms agreement as necessary consequent upon the outcome of the independent review of the performance framework and assurance that the current arrangements are discharging duties as required by the Care Act 2014. This is to be circulated to all Members of the Sub-Committee prior to the decision being made.

(c) Subject to any revision to the arrangements arising from the review of Mental Health commissioned services, that the Committee agree the allocation of the funds paid in to the Better Care pooled budget in 2021/22 between the Council and NHS Hull CCG as follows;

	Allocation to CCG	Allocat to H
	£m	£m
Original BCF programme		
Integrated Delivery	11.600	
Integrated Community Services	6.469	
Integrated Urgent Care	2.728	
IBCF programme		
Support to Commissioned Services	0.000	
Home Care	0.000	
Residential Care	0.000	
Integrated Commissioning	1.385	
Brokerage	0.000	
Active Recovery	0.000	
Rapid Recovery	0.000	
Crisis Housing Support	0.235	
7 Day Services	0.000	
Community & Early Help	0.085	
Locality MDT development	0.000	
Quality & Workforce development	0.000	
Winter Pressures	0.000	
Contingency	0.000	
Total	22.502	2

(d) That the Committee agree the estimated Financial Contributions for 2021/22 of NHS Hull CCG and the Council to the Better Care Pooled Fund and to the Aligned (non- pooled) Funds covered by the Section 75 agreement as follows;

	2020/21	

**Item 11.5**

	CCG Contribution	HCC Contribution	Total	CCG Contribution	HCC Contribution	Total
	£m	£m	£m	£m	£m	£m
BCF Pooled Fund	23.504	23.819	47.323	25.272	23.886	49.158
Aligned funds	14.735	0.000	14.735	15.237		15.237
<b>Total</b>	<b>38.239</b>	<b>23.819</b>	<b>62.058</b>	<b>40.509</b>	<b>23.886</b>	<b>64.395</b>

and that the application of the Aligned (non-pooled) funds be as follows;

	20 est
CYPFS - Children's residential placements contribution	
CYPFS – Care in the Community – Lime Tree Court	
CYPFS – Youth Commissioning services	
CYPFS – Pause project	
CYPFS – Partnership working	
CYPFS – Children Safeguarding Board Contribution	
CYPFS – Speech Language and communication needs	
Adult – Safeguarding Board Contribution	
Adult Social Care – Care in the Community	
Public Health – Care in the Community Substance Misuse	
Adult Social Care – Continuing Health Care / Funded Nursing Care	
Adult Social Care – Extra Care contribution	
Adult Social Care – s117 and TCP contribution	
<b>TOTAL INCOME TO ALIGNED FUND</b>	

- (e) That the Committee note the need to maintain the Agreement under review and develop a framework for implementation of changes to the agreement during 2021/2 consequent upon revisions being considered to the National Health System. The Committee further note the need to place contractors funded through the agreement on notice that the commissioning arrangements are expected to change with effect from 1<sup>st</sup>

April 2022 informed by changes in the legislation which are due to be developed during 2021/2.

**Motion carried.**

Reasons for Recommendations

- Formal approval was provided by Committee in Common on 27<sup>th</sup> February 2019 for the continuation of the existing section 75 Partnership Agreement between the Council and NHS Hull CCG covering the Better Care pooled fund inclusive of the additional iBCF grant made available to the Council with effect from 2018- 20.
- In accordance with this approach the updated section 75 agreement between the Council and NHS Hull CCG will continue to reflect the joint priorities proposed for agreement between the Council and the NHS Hull CCG aimed at facilitating delivery of the shared objectives set out within the Health and Well-being strategy and the Sustainable Transformation Plan.
- Within the integrated delivery pooled fund commissioned by the NHS Hull CCG is included the commissioned Social Care Mental Health Services.
- At its meeting on 16 February 2019 the Committee received a report upon the Mental Health Foundation Trust contract and decided
  - (a) That agreement is given to extend the commissioned services for a further 12 month period within the funds provided in the Better Care Pooled Fund Agreement, subject receiving a report back to the Committee upon such changes as are proposed to the contract by way of a Contract Variation in year.
  - (b) That the mechanisms for review of quality be considered within the report back to committee, in particular the role of the NHS Hull CCG Quality and Performance Committee in providing recommendations to the sub-committees meeting in common, for improvements to performance management and quality of the delivery of the services.
  - (c) That in that review consideration be given to the Head of Social Care and Health Integration being co-opted onto the NHS Hull CCG Quality and Performance Committee to provide an enhanced Council contribution to the monitoring and review of the quality of mental health services in the city.
- A performance framework has been developed in collaboration with NHS Hull CCG and Humber Teaching NHS Foundation Trust. This performance framework has

	<p>taken 12 months to develop and for HTFT to approve completion internally. It is expected that this performance framework will be completed by the end of February 2021 and will then be independently evaluated by March 31st 2021 The independent review may propose changes in relation to the contract for consideration which may impact upon the final allocation of funds.</p> <ul style="list-style-type: none"> <li>Aligning expenditure to fund priority areas within the Place Based Plan ensures that the 'Hull £' is used effectively to address priority areas and to the advantage of the overall health and social care system.</li> <li>The s75 Agreement is anticipated to be the final Better Care Fund Agreement entered into with the NHS Hull Clinical Commissioning Group. It will be necessary to review the scope of services which are or may be commissioned through funding included in the s75 Agreement over the course of the year and to ensure that providers are services are given formal notice of the potential for changes to the commissioned services, to ensure the development of a contractual framework which will allow for seamless transfer to any newly developed health structures. Flexibility needs to be retained to enable the adaptation of the s75 agreement during the course of 2021/22 to provide the framework for changes to Health structures anticipated to be introduced from April 2022.</li> </ul>	
36.	<p><b>JOINT COMMISSIONING STRATEGY FOR CHILDREN AND YOUNG PEOPLE WITH SPECIAL EDUCATIONAL NEEDS AND DISABILITIES 2021-2024</b></p> <p>The Director of Children, Young People and Family Services, Hull City Council and Chief Operating Officer, NHS Hull Clinical Commissioning Group submitted a report which sought approval of the Joint Commissioning Strategy for Children and Young People with Special Educational Needs and Disabilities 2021-2024.</p> <p>The comments of the Early Support and Lifelong Learning Overview and Scrutiny Commission when this matter was considered, were submitted for consideration, and were detailed at minute #.</p> <p>Members of the Sub Committees thanked the officer for their hard work on this strategy and engaging so effectively with the young people and their families.</p> <p><b>Agreed</b> – It is recommended that the Joint Commissioning Strategy for Children and Young People with Special Educational Needs and Disabilities 2021-2024 is approved.</p> <p><u>Reasons for Recommendations</u></p>	<p>Director of Children, Young People and Family Services/ Chief Operating Officer</p>

	<ul style="list-style-type: none"> <li>• The Joint Commissioning Strategy for Children and Young People with Special Educational Needs and Disabilities 2021-2024 has been coproduced following the outcome of the Ofsted and Care Quality Commission (CQC) SEND inspection in 2017 and revisit in 2019.</li> <li>• The SEND Strategic Board has had oversight of the development of the draft strategy and endorses approval.</li> <li>• The Department for Education and NHS England were sighted on the draft strategy at the formal review meeting in December 2020 and were supportive of its approval and the delivery of the priorities.</li> </ul>	
37.	<p><b>PROCUREMENT OF COMMUNITY WELLBEING SERVICES</b></p> <p>The Director of Public Health and Adults submitted a report which sought approval for the procurement of Community Wellbeing services which would replace the current provision of Citywide Homecare Services Framework which was due to expire 31<sup>st</sup> December 2021.</p> <p>The comments of the Health and Social Wellbeing Overview and Scrutiny Commission when this matter was considered, were submitted for consideration, and were detailed at minute #.</p> <p>Members of the Sub Committees offered their thanks to those people who worked in this sector, the Adult Services increase in the Council Tax bill being to cover an increased pay for this sector. They hoped the light touch regime on staff monitoring would enable them to concentrate on quality of the service. The officer confirmed that the fees were at a standard hourly rate which meant the evaluation was based on quality and the prices whilst based on current rates would be updated to reflect inflation.</p> <p>Members also discussed Continuing Healthcare; the need to ensure the organisations continued to work closely together; the continued level of care that needed to be delivered through the door; connecting people to local community groups and how this would help ensure the ethical charter was in place.</p> <p><b>Agreed –</b></p> <p>(a) That the procurement of Community Wellbeing services to replace the existing citywide homecare services is authorised to be undertaken through a Light Touch Regime procurement process offering contracts based upon geographical blocks across the city on the basis of 100% quality evaluation to a fixed hourly rate set by the Council annually, to be awarded for an initial duration of 5 years with the option to extend for a further 2 periods of 12 months each.</p> <p>(b) That the Director of Public Health and Adult Services be authorised to set the rates payable for Community Wellbeing</p>	<p>(a) Director of Public Health and Adults</p> <p>(b-d) Director of Public Health and Adults/ Director for</p>

services annually in accordance with the contract terms through a Decision Record prepared in consultation with the Director of Finance, the Director of Legal Services and Partnerships and the Portfolio Holder for Public Health and Adult Services.

(c) That the Director of Public Health and Adult Services is authorised to award contracts following the procurement in consultation with the Director for Legal and Partnerships, the Director of Finance and the Portfolio Holder for Public Health and Adult Services.

(d) That the Director of Public Health and Adult Services is authorised to take up the contract extension options subject to satisfactory performance and the contracts still meeting the Council's needs in consultation with the Director for Legal and Partnerships, the Director of Finance and the Portfolio Holder for Public Health and Adult Services.

#### Reasons for Recommendations

- The contracts for the delivery of city wide homecare services expire on 31<sup>st</sup> December 2021.
- The provision of care and support within people's homes and communities is crucial to meeting the Council's statutory obligations under the Care Act 2014 and to enable people to live safely within their own homes for as long as possible.
- The Adult Social Care operating model is built around the vision of a 'Life not a service'.

The vision of 'A life not a service' consists of four key elements:

- Focus on the person – we will build on people's strengths, supporting them to take control of improving their health, resilience and wellbeing live the fullest life that they can, knowing that this provides the best outcomes for people who use services
- Work in partnership – we will work creatively with individuals, local communities and our partners, supporting them to deliver the best possible outcomes so that people can live well
- Work effectively within the set budget – we will have a cost effective adult social care service delivered within the budget envelope to ensure those who most need support receive it and that we continue supporting people in the future.

The current model of homecare service is not aligned to those elements and therefore a revised service model is required to maximise the contribution the service can make to these aspirations.

Legal and Partnerships/  
Director of Finance



	<ul style="list-style-type: none"><li>• The homecare market locally and nationally has faced significant challenges over recent years resulting in a volatile provider market with some high profile providers going out of business. Given the importance of homecare services, it is essential that the newly procured contracts provide a sustainable basis for providers to operate and invest in the staff and quality services. To ensure provider sustainability and to enable continuous investment and improvement in the services, it is necessary to offer a longer contract term.</li><li>• Consultation with other Local Authorities who have implemented similar models for domiciliary care have reported significant improvements in the quality and range of care provided, cost control, employment conditions and recruitment and retention of quality care staff.</li></ul>	
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Start: 1.00 p.m.

Finish 1.45 p.m.

The above Executive Decisions will come into force and may be implemented on expiry of five working days after the publication of the decisions i.e., 8<sup>th</sup> March, 2021, unless called in by the Overview and Scrutiny Management Committee.

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